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To: Examiner Kevin Bates Art Unit: 2155	Facsimile No.: (703) 746-6560 Main No. of Receiving Firm: (703) 605-0633
From: Rebecca Clayton Legal Assistant to Stephen J. Walder, Jr.	No. of Pages Including Cover Sheet: 2

Message:

Per our phone conversation earlier today, following is a proposed agenda for the telephone interview tentatively scheduled for tomorrow (09/08/04) or Thursday (09/09/04) after 2:30 p.m. (EST). Please note that Steve Walder already has two phone conferences scheduled on Thursday afternoon at 2:00 p.m. and 3:00 p.m. (EST). We look forward to hearing from you to schedule a time for the phone interview between you, Steve Walder, and your primary or SPE.

Thank you.

C/M # No. AUS9-2000-0627-US1; Application No. 09/692,344

DATE: Tuesday, September 07, 2004

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PROPOSED AGENDA FOR SEPTEMBER 8, 2004 TELEPHONE INTERVIEW

I.   Overview of Invention

II.   Overview of Applied Reference, Gerardin

III.   Discussion of How the Presently Claimed Invention Differs From Gerardin

A.   The rejection is under 35 U.S.C. § 102 and thus, every feature of the claims must be identically shown or inherent in the single reference, Gerardin. Applicants respectfully submit that Gerardin does not identically teach the claimed features arranged as they are in the claims.

B.   Gerardin makes no mention of placing a send queue, <u>that is to be affected by a modification to a network</u>, into a suspend state. Gerardin is only concerned with notifying a line and network management system when a transient error occurs. Gerardin is directed to identifying transient errors and is not concerned with making modifications to a network. Thus, Gerardin is not concerned with placing send queues, which would be affected by modifications to a network, into a suspended state so that modifications to the network can be made.

C.   The only time the transmit queue in Gerardin is barred from receiving inputs is when an <u>error</u> occurs, i.e. an unwanted event. The system of Gerardin does not choose to place a send queue into a suspended state so that modifications to the network can be made. Rather, the transmit queue in Gerardin is "suspended" only when an unwanted event occurs, i.e. an error. Gerardin provides no teaching of even determining whether a queue will be affected by a modification to a network and thus, is not concerned with suspending send queues that will be affected by a specific modification to a network.

D.   In Gerardin when a error event is detected, the error is reported to the Network Management system for considering rerouting of the connection, i.e. network reconfiguration (column 12, lines 55-58). However, nowhere in Gerardin is there ever any teaching of suspending a send queue that is to be affected by a modification to the network, modifying the network, and then placing the send queue back into an operational state following modification of the network. All Gerardin does is report errors to the Network Management for possible consideration of network reconfiguration. There is no teaching in Gerardin of actually suspending a send queue so that a modification can be made and then placing that send queue back into an operational state.

E.   Similarly, Gerardin does not teach the features of the dependent claims. Each dependent claim is allowable over Gerardin by virtue of their dependency as well as specific features recited in the dependent claims that are not taught by Gerardin.

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